IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 36434 of 2007(K)

PETITIONERS:
----

1. **UDAYAKUMAR J., S/O. JANARDHANAN, SMRUTHY, KARIYILAKULANGARA P.O., PATHIYOOR, KAYAMKULAM. (UPPER DIVISION CLERK, OFFICE OF THE WALAYAR CHECK POST, PALAKKAD.)**

2. **RAJAGOPAL N., S/O. NARAYANA PILLAI, MANIMALA, MANNARSALA P.O., HARIPPAD. (UPPER DIVISION CLERK, OFFICE OF THE COMMERCIAL TAX OFFICER, HARIPPAD).**

3. **DEEPTI M., W/O. SAJEEV G., ARYA BHAVAN, KANDALLOOR SOUTH P.O., KAYAMKULAM. (UPPER DIVISION CLERK, OFFICE OF THE ASSISTANT COMMISSIONER (AUDIT ASSESSMENT), COMMERCIAL TAXES, ALAPPUZHA.)**

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:
----

1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, COMMERCIAL TAX DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE COMMISSIONER, OFFICE OF THE COMMISSIONER, COMMERCIAL TAX, THIRUVANANTHAPURAM.**

3. **THE JOINT COMMISSIONER I, OFFICE OF THE JOINT COMMISSIONER I, COMMERCIAL TAXES, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

- -

W.P.(C)No.36434 of 2007

- -

Dated this the 10th day of December 2007

JUDGMENT

Aggrieved by Ext.P5 seniority list, the petitioners have preferred Ext.P6 before the Government which will have to be treated as one under Rule 27B of Part II of KS&SSR.

After having heard the learned Government Pleader also, the writ petition is disposed of directing the first respondent to consider Ext.P6, in accordance with law, keeping in mind Rule 28(bbb) of Part II of KS&SSR within a period of two months from the date of receipt of a copy of this judgment. Government shall give an opportunity of hearing to all affected parties including the petitioners.

V.GIRI, JUDGE

css